Filed 04/21/23

Case 2:23-cv-03051-HDV-MAR

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## **DECLARATION OF MATTHEW LEVINE**

I, MATTHEW LEVINE, declare as follows:

- 1. I am over the age of 18 and competent to testify. The following facts are based on my personal knowledge or based on my personal review of records kept in the course of regularly conducted business activities by Defendant ALCLEAR, LLC ("Defendant"), and if called as a witness, I can and will competently testify hereto. I submit this declaration in support of Defendant's Notice of Removal.
- 2. I am currently the General Counsel and Chief Privacy Officer for Defendant. As General Counsel and Chief Privacy Officer for Defendant, I am familiar with Defendant's corporate structure and its executive, administrative, financial and management functions.
  - 3. Defendant is neither a State, a State official, or any other governmental entity.
- 4. At the time the Complaint in this action was filed on February 17, 2023 and currently, Defendant has at all times been a limited liability company organized under the laws of the State of Delaware, with its principal place of business and company headquarters located in New York, New York. The State of New York is where the majority of Defendant's executive, administrative, financial and management functions are conducted, and from where the majority of Defendant's high-level officers direct, control, and coordinate and control the company's operations and activities. None of Defendant's executive officers reside in the State of California.

I declare under penalty of perjury under the laws of the States of California and New York and the United States of America that the foregoing is true and correct.

Executed this 21 day of April, 2023, at New York, New York.

Matthew Levine
MATTHEW LEVINE

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